IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 16340 of 2007(T)

PETITIONER:

CHERIYIL NABEESA, D/O.ASSAINAR,
NOUSHAD QUARTES, BUILDING NO.14/273,
P.O.CHIRAKKARA, THALASSERY.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:

1. THE KERALA STATE WAKF BOARD, REP. BY ITS CHIEF EXECUTIVE OFFICER, WAKF BOARD OFFICE, KOCHI - 17.

2. THE CHIEF EXECUTIVE OFFICER, KERALA STATE WAKF BOARD, WAKF BOARD OFFICE, KOCHI-17.

3. THE PRESIDENT, ISHLAHI CENTRE, CHIRAKKARA, THALASSRY.

4. REVENUE DIVISIONAL OFFICER, THALASSERY.

SHRI. P.A.ABDUL JABBAR, SC FOR R1 & R2
G.P. SHRI.I.A.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.16340 of 2007

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Dated this the day of May, 2007

J U D G M E N T

The petitioner challenges Ext.P4 order of the Wakf Board and Ext.P5 consequential notice issued by the R.D.O. The learned Standing Counsel for the Wakf Board submits that Ext.P4 order was passed under section 54(3) of the Wakf Act against which order the petitioner has got an effective alternate remedy by way of suit before the Wakf Tribunal under section 54(4) of the Wakf Act. In the above circumstances, without prejudice to the right of the petitioner to file a suit as provided under section 54(4) of the Wakf Act, this writ petition is dismissed. For enabling the petitioner to file the suit, proceedings pursuant to Ext.P5 shall be deferred for a period of one week.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.